

# United States Court of Appeals for the Federal Circuit

2011-1385

GEORGE PIECZENIK,

Plaintiff-Appellant,

v.

BAYER CORPORATION, BAYER CROPSCIENCE (NEW JERSEY) INC.,  
BAYER HEALTHCARE PHARMACEUTICALS, INC.,  
BAYER PHARMA CHEMICALS INC., and SCHERING BERLIN INC.,

Defendants-Appellees,

and

ASTRAZENECA LP, ASTRAZENECA PHARMACEUTICALS LP,  
AVENTIS INC., AVENTIS PHARMACEUTICALS INC.,  
BOEHRINGER INGELHEIM VETMEDICA, INC.,  
BOEHRINGER INGELHEIMROXANE, INC., MEDIMMUNE LLC,  
NOVARTIS CORPORATION, NOVARITS PHARMACEUTICAL, CORPORATION,  
NOVARTIS VACCINES AND DIAGNOSTICS, INC., SANOFI-AVENTIS U.S. INC.,  
SANOFI-AVENTIS U.S. LLC, SIEMENS CORPORATION,  
SIEMENS DIAGNOSTICS FINANCE CO. LLC,  
SIEMENS HEALTHCARE DIAGNOSTICS INC.,  
and SIEMENS MEDICAL SOLUTIONS USA, INC.,

Defendants-Appellees,

and

ABBOTT LABORATORIES, ABBOTT LABORATORIES, INC.,  
and SOLVAY PHARMACEUTICALS, INC.,

Defendants-Appellees,

and

ALLERGAN USA, INC., CORNING INCORPORATED,  
GILEAD SCIENCES, INC., HOWARD HUGHES MEDICAL INSTITUTE,  
and QIAGEN INCORPORATED,

Defendants-Appellees,

and

AMGEN USA, INC and AMGEN, INC.,

Defendants-Appellees,

and

ANTYRA, INC.,

Defendant,

and

BAXTER DIAGNOSTICS INC., MONSANTO AG PRODUCTS LLC,  
MONSANTO COMPANY, ONYX PHARMACEUTICALS, INC.,  
ZYMOGENETICS, INC., and ZYMOGENETICS, LLC,

Defendants-Appellees,

and

BIOGEN IDEC INC., BIOGEN IDEC U.S. CORPORATION,  
and MEDAREX, INC.

Defendants-Appellees,

and

BRACCO DIAGNOSTICS INC.,

Defendant-Appellee,

and

CENTOCOR ORTHO BIOTECH PRODUCTS, L.P.,  
CENTOCOR ORTHO BIOTECH SERVICES, CENTOCOR ORTHO BIOTECH, INC.,  
JOHNSON & JOHNSON, ORTHO-MCNEIL JANSSEN SCIENTIFIC AFFAIRS, LLC,  
ORTHOMCNEIL PHARMACEUTICAL, INC., and ORTHO-MCNEIL, INC.,

Defendants-Appellees,

and

DYAX CORPORATION, FOREST LABORATORIES, INC.,  
GENZYME CORPORATION, GLAXOSMITHKLINE LLC,  
and PERKINELMER HEALTH SCIENCES, INC.,

Defendants-Appellees,

and

E.I. DUPONT DE NEMOURS & COMPANY,

Defendant-Appellee,

and

GE HEALTHCARE BIOSCIENCES BIOPROCESS CORP., GE HEALTHCARE INC.,  
GE HEALTHCARE STRATEGIC SOURCING CORPORATION,  
and GE HEALTHCARE BIOSCIENCES CORP.,

Defendants-Appellees,

and

INTERNATIONAL BUSINESS MACHINES CORP.,

Defendant-Appellee,

and

INVITROGEN CORPORATION,

Defendant-Appellee,

and

NOVO NORDISK INC.,

Defendant-Appellee,

and

SOLVAY CHEMICALS, INC.,

Defendant-Appellee,

and

THE DOW AGROSCIENCES LLC,  
THE DOW CHEMICAL COMPANY (DELAWARE),  
and THE DOW CORNING CORPORATION,

Defendants-Appellees,

and

BAYER PHARMACEUTICALS CORPORATION,  
DIVERSA CHEMICAL TECHNOLOGIES (NY), INC., and  
JOHN DOES 1 THROUGH 61,

Defendants.

## Judgment

ON APPEAL from the United States District Court of the District of New Jersey  
in CASE NO(S). 10-CV-2230


This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

**AFFIRMED**

ENTERED BY ORDER OF THE COURT

DATED MAR 22 2012

  
Jan Horbaly, Clerk

CERTIFIED COPY  
THEREBY CERTIFY THIS DOCUMENT  
IS A TRUE AND CORRECT COPY  
OF THE ORIGINAL ON FILE.

**ISSUED AS A MANDATE:**

APR 30 2012

UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT

By:  Date: 4/30/12